

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

UNITED STATES OF AMERICA)
)
) **DOCKET NO.: 3:20-CR-192**
v.)
)
ANTHONY BLANE BYRNES)
)
)

NOW COMES the United States of America, by and through R. Andrew Murray, United States Attorney for the Western District of North Carolina, and hereby files this Factual Basis in support of the plea agreement filed simultaneously in this matter.

This Factual Basis is filed pursuant to Local Criminal Rule 11.2 and does not attempt to set forth all of the facts known to the United States at this time. By their signatures below, the parties expressly agree that there is a factual basis for the guilty plea(s) that the defendant will tender pursuant to the plea agreement, and that the facts set forth in this Factual Basis are sufficient to establish all of the elements of the crime(s). The parties agree not to object to or otherwise contradict the facts set forth in this Factual Basis.

Upon acceptance of the plea, the United States will submit to the Probation Office a "Statement of Relevant Conduct" pursuant to Local Criminal Rule 32.4. The defendant may submit (but is not required to submit) a response to the Government's "Statement of Relevant Conduct" within seven days of its submission. The parties understand and agree that this Factual Basis does not necessarily represent all conduct relevant to sentencing. The parties agree that they have the right to object to facts set forth in the presentence report that are not contained in this Factual Basis. Either party may present to the Court additional relevant facts that do not contradict facts set forth in this Factual Basis.

1. In 2019, law enforcement began investigating the Defendant Anthony Blane Byrnes for trafficking narcotics with firearms in the greater Huntersville, NC area. Homeland Security Investigations (HSI), the US Postal Inspector Service (USPIS), the Drug Enforcement Administration (DEA) and the Huntersville (NC) Police Department (HPD) seized multiple drug packages belonging to Defendant Anthony Blane Byrnes in the greater Huntersville, NC community.

2. Defendant conspired with a regional Drug Trafficking Organization (DTO) to distribute narcotics on the dark web, utilizing the dark web marketplace "Empire Market." The Defendant resided with his parents, ordered various narcotics on the dark web and had them shipped to their Huntersville residence. Defendant Anthony Blane Byrnes used the Empire Market, among other dark web mediums, to traffic D-Lysergic Acid Diethylamide (LSD), Psilocin, Dimethyltryptamine (DMT), MDMA/Ecstasy, and Marijuana narcotics throughout the United States and internationally.

3. Defendant also frequented local Bitcoin ATMs and facilitated dark web financial transactions, in addition to drug shipments, for the DTO. Defendant purchased the narcotics with various forms of Virtual Currency (VC), including Bitcoin, and stored the drug proceeds in multiple VC wallets. The Defendant then sold these narcotics and converted drug proceeds into Bitcoin, utilizing various Bitcoin ATMS in the greater Charlotte, NC community. The DTO utilized these Bitcoin ATMs to preserve the discrete nature of their drug transactions, in violation of the United States Bank Secrecy Act.

4. The Defendant, Anthony Blane Byrnes, from in or about 2019, through the present, in Mecklenburg County, within the Western District of North Carolina, and elsewhere, did knowingly and intentionally combine, conspire, confederate, and agree with others known and unknown to the United States, to distribute and to possess with intent to distribute controlled substances, that is, a mixture and substance containing 1 gram or more of D-Lysergic Acid Diethylamide (LSD), a mixture and substance containing a detectable amount of Psilocin, a mixture and substance containing a detectable amount of Dimethyltryptamine (DMT), a mixture and substance containing a detectable amount of 3,4-methylenedioxymethamphetamine (MDMA or Ecstasy), and a mixture and substance containing a detectable amount of Marijuana, all Schedule I controlled substances, in violation of Title 21, United States Code, Sections 841(a)(1) and 846. Specifically, the Defendant, Anthony Blane Byrnes, sold these narcotics with co-conspirators on the dark web, from his Huntersville, NC residence.

5. The Defendant, Anthony Blane Byrnes, on or about April 12, 2019, in Mecklenburg County, within the Western District of North Carolina, and elsewhere, did knowingly and intentionally possess with intent to distribute a controlled substance, that is, a mixture and substance containing a detectable amount of Marijuana, a Schedule I controlled substance. All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(D).

6. The Defendant, Anthony Blane Byrnes, on or about August 07, 2019, in Mecklenburg County, within the Western District of North Carolina, and elsewhere, did knowingly and intentionally possess with intent to distribute a controlled substance, that is, a mixture and substance containing 1 gram or more of D-Lysergic Acid Diethylamide (LSD), a Schedule I controlled substance. All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

7. The Defendant, Anthony Blane Byrnes, on or about August 07, 2019, in Mecklenburg County, within the Western District of North Carolina, and elsewhere, did knowingly and intentionally possess with intent to distribute a controlled substance, that is, a mixture and substance containing a detectable amount of Psilocin, a Schedule I controlled substance. All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

8. The Defendant, Anthony Blane Byrnes, on or about August 07, 2019, in Mecklenburg County, within the Western District of North Carolina, and elsewhere, did knowingly and intentionally possess with intent to distribute a controlled substance, that is, a mixture and substance containing a detectable amount of Dimethyltryptamine (DMT), a Schedule I controlled substance. All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

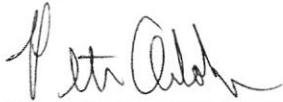
R. ANDREW MURRAY
UNITED STATES ATTORNEY



Sanjeev Bhasker
Assistant United States Attorney

Defendant's Counsel's Signature and Acknowledgment

I have read this Factual Basis, the Bill of Information, and the plea agreement in this case, and have discussed them with the defendant. Based on those discussions, I am satisfied that the defendant understands the Factual Basis, the Bill of Information, and the plea agreement. I hereby certify that the defendant does not dispute this Factual Basis.



Peter Adolf, Attorney for Defendant

DATED: 6/16/20